

Message Text

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C O N F I D E N T I A L CAIRO 6990

LIMDIS

EO 11652: GDS

TAGS: EFIN CPRS PFOR LG

SUBJECT: US CLAIMS AGAINST (FIFTH MEETING OF JOINT COMMITTEE)

1. THE FIFTH MEETING OF THE JOINT COMMITTEE WAS HELD ON SATURDAY, JULY 12 AT UNDERSEC DEWIDAR'S OFFICE.
2. TWO CASES WERE TRANSFERRED FROM SECTION E MISCELLANEOUS CASES TO SECTION A BECAUSE THEY INVOLVED AGRICULTURAL LAND: SALLOUM CASE E (16) INVOLVING CLAIMS FOR 240 ACRES AGRICULTURAL LAND, AND GAHTAN CASE E (7). NEW CASE JEAN EZZART WAS PROVIDED BY EGYPTIAN SECTION.

3. THE EGYPTIAN SECTION SUPPLIED INFORMATION ON A NUMBER OF AGRICULTURAL LAND CASES:

(A) TIHANY EL ARAB CASE A (2): AMOUNT PROPERTY TAKEN 10 FEDDANS, 14 KIRATS, 19 SAHMS. COMPENSATION EL 2,000, BASED ON 70 TIMES TAX AT TIME OF TAKING IN 1952.

(B) FANOUS CASE A (3): AMOUNTS OF PROPERTIES TAKEN (1) 50 FEDDANS, 22 KIRATS, 9 SAHMS PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 1,290; (2) 49 FEDDANS, 1 KIRAT, 15 SAHMS PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 245, (3) 25 FEDDANS, 5 KIRATS, 23 SAHMS PURSUANT LAW NO. 127 OF 1961, COMPENSATION EL 610. TOTAL ABOUT COMPEN-
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SATION EL 2,145.

(C) MENASCHE CASE A (5): PROPERTY TAKEN 100 FEDDANS PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 14,930.

(D) KELLOGG-PSAROFF CASE A (8): PROPERTY TAKEN 58 FEDDANS, 10 KIRATS, 15 SAHMS, COMPENSATION EL 16,800.

(E) KHAYATT (ROELKER) CASE A (9): PROPERTY TAKEN 97 FEDDANS, 1 KIRAT, 14 SAHMS, PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 26,646.

U.S. SIDE STATED THAT ROELKER CLAIMS SHE INHERITED 399-400 FEDDANS CHOICE AGRICULTURAL LAND FROM HER FATHER. PROPERTY WAS REDUCED TO 200 FEDDANS BY LAW NO. 178 OF 1952. IT WAS FURTHER REDUCED BY 100 FEDDANS BY LAW NO. 127 OF 1961, AND FINALLY SHE LOST ALL THE PROPERTY EXCEPT FOR ABOUT 2 FEDDANS BY LAW NO. 15 OF 1963.

EGYPTIAN SECTION STATED THAT SHE HAD SOLD MAJOR PARTS OF LAND CLAIMED. ROELKER'S LAWYER CATEGORICALLY DENIES THIS. US SIDE HAS ASKED EGYPTIAN FOR EXCERPTS OF OFFICIAL RECORDS SHOWING STATUS AND DATES OF SALES AND TRANSFERES OF LANDS IN QUESTION.

EGYPTIAN SIDE FURTHER STATED THAT LAW NO. 178 OF 1952 APPLIED TO BOTH FOREIGNERS AND EGYPTIAN NATIONALS. THIS WAS PAST HISTORY.

PROPERTIES IN AMOUNTS IN EXCESS OF OFFICIALLY ALLOWED AMOUNTS WERE EITHER SOLD BY THE OWNERS OR FORFEITED TO THE STATE UNDER LAW NO. 127 OF 1961 AND LAW NO. 15 OF 1963. NATIONAL STATE BONDS BEARING 2 PERCENT INTEREST WERE ISSUED, BUT ANNULLED IN 1964.

(F) ROSENGARTEN CASE A (10): PROPERTY TAKEN 50 FEDDANS PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 10,515.

(G) FOUAD SABB CASE A (11): PROPERTY TAKEN 100 FEDDANS PURSUANT LAW NO. 15 OF 1963, COMPENSATION EL 29,395 SUBJECT TO DEDUCTIONS OF LIABILITIES, TAXES AND OTHER CHARGES.

4. EGYPTIAN SECTION SAID IT WAS PREPARED TO RELEASE THE PROPERTIES IN TWO CASES: (A) GUEUKMENIAN CASE A (4) PROPERTY WILL BE CONFIDENTIAL

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RELEASED BECAUSE IT WAS BUILDING LAND; (B) PLENTL CASE A (7) ABOUT 2,000 SQUARE METERS TAKEN PURSUANT TO LAW NO. 15 OF 1963 WILL BE RELEASED BY APPLICATION TO DEPARTMENT OF AGRICULTURAL REFORM, VICTORIAL DISTRICT, ALEXANDRIA EGYPT. NO OFFICIAL VALUATIONS WERE AVAILABLE.

5. NADLER CASE A (6): DISCUSSION WAS POSTPONED AS A SPECIAL CASE.

6. EGYPTIAN SECTION MADE STATEMENTS ON VARIOUS ASPECTS OF EGYPTIAN LAND REFORM. FIRST, NATIONALIZATION OF AGRICULTURAL LAND WAS NOT ABUSE OF PROPERTY RIGHTS, BUT IN ACCORDANCE WITH EGYPTIAN LAWS DATING BACK TO 1944 INHERITANCE LAW WHICH ASSESSED VALUE OF LAND ON BASIS OF 70 TIMES ANNUAL TAX, WHICH EXISTED BEFORE THE REVOLUTION.

TAXES VARY ACCORDING TO AMOUNT OF LAND, SITE AND NATURE. THEREFORE, THIS REPRESENTED THE REAL VALUE, AND NOT IN ACCORDANCE WITH SO-CALLED MARKET VALUE. SECOND, SINCE 1963, FOREIGNERS FORMERLY OWNING AGRICULTURAL LAND FELL INTO TWO CATEGORIES, THOSE CONTINUING TO UTILIZE THE LAND, AND THOSE NOT UTILIZING THE LAND. THE AGRARIAN REFORM AUTHORITY WAS UNABLE TO TAKE IMMEDIATE POSSESSION OF ALL THE LANDS NATIONALIZED. IN ALL CASES, NO COMPENSATION BONDS HAVE BEEN ISSUED, ALTHOUGH IN MOST CASES THEIR VALUES HAVE BEEN OFFICIALLY DETERMINED. FOREIGNERS WHO CONTINUE TO UTILIZE THE LANDS ARE SUBJECT TO DEDUCTIONS FOR DEBTS, LIABILITIES AND PAYMENT OF RENT. THIRD, WITH REGARD TO FOREIGN OWNERS OF AGRICULTURAL LAND, COMPENSATION WOULD BE PAID IN ACCORDANCE WITH THE PROVISIONS OF INTERNATIONAL AGREEMENTS CONCLUDED BY THE EGYPTIAN GOVERNMENT WITH VARIOUS COUNTRIES AND NO COMPENSATION BONDS WOULD BE ISSUED.

7. U.S. SIDE STATED THAT U.S. CLAIMANTS WERE CLAIMING PAYMENT OF INTEREST ON AMOUNT OF COMPENSATION PAID FOR LAND AS CAPITAL, AND UNTIL

COMPENSATION WAS PAID, ALSO RENT COLLECTED FOR THE USE OF THE LAND. THE EGYPTIAN SECTION SAID THAT IT WAS UNABLE TO AGREE WITH U.S. VIEW.

8. NEXT SIXTH MEETING OF JOINT COMMITTEE WAS SCHEDULED FOR MONDAY, JULY 14.
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